

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**PROTECTIVE INDUSTRIES, INC.,** )  
**(d.b.a. CAPLUGS),** )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**RATERMANN MANUFACTURING,** )  
**INC., GEORGE RATERMANN,** )  
**PROGRESSIVE PLASTICS, INC. and** )  
**HENRY BUERMANN,** )  
 )  
**Defendants.** )

**No. 3:10-01033  
Judge Sharp**

**ORDER**

Defendants Ratermann Manufacturing, Inc.’s and Progressive Plastics, Inc.’s Motion to Dismiss Their Invalidity and Inequitable Counterclaims Without Prejudice (Docket No. 318) and Plaintiff Protective Industries, Inc.’s notice of consent thereto, which has been docketed as a “Consent Motion” (Docket No. 321), are hereby GRANTED. Defendants’ Counterclaims for Invalidity and Inequitable Conduct are hereby DISMISSED WITHOUT PREJUDICE.

With this ruling, there remains nothing for the Court’s consideration and, accordingly, the Clerk shall enter a final judgment in favor of Defendants in accordance with Fed. R. Civ. P. 58 based upon this ruling and the Court’s January 31, 2013 Order (Docket No. 316) that, among other things, granted Defendants’ Motions for Summary Judgment and Motions to Dismiss.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE